

Stricken language would be deleted from and underlined language would be added to present law.
Act 528 of the Regular Session

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H3/19/25

A Bill

HOUSE BILL 1757

By: Representative Joey Carr

By: Senator J. Bryant

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING RAILROADS; TO
CREATE THE OFFENSE OF TAMPERING WITH RAIL
INFRASTRUCTURE; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING RAILROADS;
AND TO CREATE THE OFFENSE OF TAMPERING
WITH RAIL INFRASTRUCTURE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. DO NOT CODIFY. Legislative findings and intent.

(a) The General Assembly finds that:

(1) The railroads of this state are essential to the
functionality of the state; and

(2) It is the obligation of the General Assembly to protect
railroads from interference as an essential cog of the transportation
infrastructure of the state.

(b) The General Assembly intends for this act to eliminate to the
extent possible the acts of tampering with, displacing, removing, damaging,
disabling, destroying, setting fire to, impairing, or otherwise interfering
with rail transport by creating penalties for tampering with, displacing,
removing, damaging, disabling, destroying, setting fire to, impairing, or
otherwise interfering with rail infrastructure.

SECTION 2. Arkansas Code Title 23, Chapter 12, Subchapter 8, is
amended to add an additional section to read as follows:



23-12-808. Tampering with rail infrastructure.(a) As used in this section:

(1) "Interfere" means to tamper with, displace, remove, damage, disable, destroy, set fire to, impair, obstruct, or otherwise hinder; and

(2) "Rail infrastructure" means the following that are located on property owned by a railroad or property owned, leased, possessed, operated, or otherwise used for or in connection with railroad operations:

(A) A train, locomotive, freight car, passenger car, or any other on-track vehicle or on-track equipment;

(B) A railroad track or structure;

(C) A signaling or communication system or component; and

(D) A station, terminal, depot, or other facility.

(b) A person commits the offense of tampering with rail infrastructure if he or she without lawful authority or permission:

(1) Recklessly:

(A) Places an obstruction on or within or interferes with a:

(i) Part or securement of a rail, track, tie, switch, ballast, or other fixture or device;

(ii) Bridge, tunnel, viaduct, tower, culvert, drain, trestle, embankment, parapet; or

(iii) Structure that is attached to, connected to, or used with railroad tracks or for the operation of any railroad infrastructure;

(B) Interferes with a:

(i) Signal, mechanism, device, piece of equipment, bungalow, communication line or antenna, or other appurtenance used in controlling the signal or communication systems of rail infrastructure;

(ii) Train control system;

(iii) Centralized dispatching system;

(iv) Wayside detector;

(v) Communication tower;

(vi) Buried or aerial facility; or

(vii) Highway-rail grade crossing warning system;

(C) Places or releases a biological agent or toxin, destructive substance, or destructive device in, upon, near, or on board rail

infrastructure;

(D) Detaches, initiates an emergency brake application, or otherwise impedes the movement of rail infrastructure;

(E) Assaults or injures a rail passenger, railroad employee, or police officer of a railroad or a person on or within rail infrastructure;

(F) Makes a terroristic threat to commit any of the acts described in subdivisions (b)(1)(A)-(E) of this section; or

(G) Attempts, threatens, or conspires with others to commit any of the acts described in subdivisions (b)(1)(A)-(F) of this section; or

(2) Knowingly conveys false information or reports regarding an attempt or alleged attempt to commit any of the acts described in subdivisions (b)(1)(A)-(F) of this section.

(c) The offense of tampering with rail infrastructure is a Class D felony.

/s/Joey Carr

APPROVED: 4/10/25